

Serial No. 10/803,766
60246-347; 10914**REMARKS**

The drawings are objected to under 37 CFR 1.83(a). The Examiner states that the features of claims 4, 9, 10, 19 and 22 must be shown in the figures or cancelled from the claims. The Examiner also objected to the drawings as not showing independently controlled evaporators, a display case, a service cabinet, a compartment for medial and scientific applications, remote monitoring means and a plurality of buttons.

Figure 1 shows independently operated evaporators 28 and 44 as recited in claim 4. A plurality of buttons 36 and 46 as recited in claim 19 is shown in Figure 1. A second evaporator (28 and 44) as recited in claim 22 is shown in Figure 1. Figure 1 schematically shows a refrigerated compartment 30, which as stated in paragraph 16 "can be a display case or a service cabinet that stores items in a preparation area before use" as recited in claim 9. Figure 1 therefore shows a display case or a service cabinet schematically as reference numeral 30.

Figure 1 has been amended to show a remote monitoring device 60 as recited in claim 12. Support for this amendment is found in paragraph 25. Figure 4 has been added to schematically show "scientific or medical applications" 62 as recited in claim 10.

Claims 1-8, 11, 15-20 and 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olsen in view of Shim. The Examiner admits that Olsen does not disclose "normal" temperature response control of a refrigeration system that is interrupted and restored. The Examiner states that Shim teaches this feature, and it would be obvious to modify Olsen to include temperature response control. Applicant respectfully disagrees.

Olsen discloses temporarily interrupting operation of an evaporator in a refrigerated container in response to a signal. Olson does not disclose stopping the step of cooling when the temperature in a refrigerated container is at a predetermined temperature or an evaporator that stops cooling the refrigerated compartment when a sensor detects the temperature in the refrigerated container is at the predetermined temperature. Shim also does not disclose this feature. In Shim, as shown in Figure 4, a temperature in storage compartments is detected in step S201 and S202. If the temperatures in the storage compartments are less than reference temperatures, the compressor remains stopped S210 (Figure 4 and column 6, lines 32 to 37). If the temperatures are greater than the reference temperatures, the compressor is started at step S213. Shim does not disclose the step of stopping the step of cooling based on a temperature in the storage compartment. In Shim, the compressor remains stopped at S210, and therefore the

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step of cooling is already stopped. Shim does not disclose the step of stopping the step of cooling because cooling has *already* stopped. Shim discloses the step of *starting* cooling, not the step of *stopping* cooling. Neither reference discloses stopping the step of cooling when the temperature in a refrigerated container is at a predetermined temperature or an evaporator that stops cooling the refrigerated compartment when a sensor detects the temperature in the refrigerated container is at the predetermined temperature as claimed. Therefore, the reference together do not teach, suggest or disclose the claimed invention. The claimed invention is not obvious, and Applicant respectfully requests that the rejection be withdrawn.

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olsen in view of Shim and further in view of admitted prior art. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Olsen in view of Shim and further in view of Torimitsu. Claims 9, 10 and 12 depend on patentable independent claim 1 and are allowable for the reasons set forth above. The claimed invention is not obvious because none of the references disclose, teach or suggest a method of maintaining a temperature in a refrigerated container including detecting a temperature in the refrigerated compartment and stopping cooling in the refrigerated container in response to a signal when the temperature in the refrigerated container is a predetermined temperature. Therefore, the combination of the references does not teach, suggest or disclose the claimed invention.

Thus, claims 1-12, 15-20 and 22-26 are in condition for allowance. No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully Submitted,

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Dated: May 25, 2006

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CERTIFICATE OF FACSIMILE

I hereby certify that this Request for Reconsideration and Amendment After Final is being facsimile transmitted to the United States Patent and Trademark Office, 571-273-8300 on May 25, 2006.


Amy M. Spaulding